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Arlington Daily News, Thursday, August 26, 1971

Mexico divorce leaves two many

By BETTY JONES

Betty P. Latshaw (or Jones), law clerk to D.C. Federal District Judge Burnita Matthews, got a Mexican divorce from Joseph Latshaw of Arlington last year and remarried. The divorce was ruled invalid yesterday by an Arlington judge.

Mrs. Latshaw-Jones flew to Mexico, "stayed there a matter of hours" to get the divorce and shortly thereafter married her ex-husband's "best friend," according to lawyer James Miller, who represented Mr. Latshaw.

Arlington Circuit Judge Charles Russell said such divorces are considered "absolutely void" in Virginia.

He said the American experience with quickie divorces in Mexico or elsewhere has "gradually shaken down to the cardinal principle" that standards regarding marriage and divorce are local matters to

be handled by state legislatures.

"We have yet to become such a nation of migrants that the power to determine (marriage laws) should be taken away from state legislatures," the judge said.

Mrs. Latshaw-Jones' present address, according to court records, is 3122 Wynford Drive, Fairfax.

Mr. Latshaw, who lives at 5618 N. Ninth-st, Arlington, challenged the legality of the divorce and asked to have the Latshaw marriage declared still in effect in answer to Mrs. Latshaw-Jones' court suit for a property settlement.

Her lawyer, Harry Sizemore,

charged Mr. Latshaw did this to protect his \$46,000 annual income from Army retirement pay, a family corporation and a Missouri farm.

After Judge Russell ruled, Mr. Miller said that Mr. Latshaw will file a divorce suit here against his wife.

The matter was brought before Judge Russell on Mrs. Latshaw-Jones' appeal of a divorce commissioner's ruling that the Mexican divorce was invalid. Court officials said it was the second time recently in Arlington that a Mexican divorce has been challenged and ruled invalid. D.C. courts have also ruled the quickie divorces invalid upon challenge.

1. What was the exact date and location of the divorce?
2. What were the grounds cited in the divorce decree or other legal documents?



4. Where did he physically reside immediately prior to the divorce and for how long?
5. Did both he and his wife appear in court in Mexico, did one party appear and the other appear by counsel, did both appear by counsel, or did one appear and the other not appear even by counsel? If the last mentioned situation, did the party not appearing know of the divorce and how? If the absent spouse appeared by counsel can he or she claim duress in signing the power of attorney? Was the power of attorney notarized?
6. Did the couple have children?
7. Were provisions made for either alimony or support in the decree? If so, was there incorporated by reference into the divorce decree a separate agreement which was signed by both parties and attested to in the United States? Was such a separate agreement negotiated by the parties while represented by attorneys?
8. Has any U.S. court made reference to the Mexican divorce in any judgment or decree, e.g., an attempt to set aside the divorce, a declaratory judgment concerning validity of the divorce, a collateral issue referencing the divorce such as a custody or support suit?
9. Has the other party remarried? Are there children by that marriage?
10. Is the other party living?

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	COMMENT	FILE	RETURN
	CONCURRENCE	INFORMATION	SIGNATURE

in any event will want to [REDACTED]

Remarks:

Attachment 1 is a paragraph for inclusion in your memorandum to ExDir.

Attachment 2 is a rephrasing of the questions to be asked in future cases.

Let me know if you have any questions.

Atts. [REDACTED]

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Remarks: Wow - I thought we were off again — but it appears to end happily — as long as proxy marriage legal in state in which performed — and I guess it would be performed elsewhere.					
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